

TOW TRUCKS & OTHER SHOP VEHICLES

Regulatory Overview

If your shop has a vehicle that is used for business purposes, that vehicle and its driver(s) are subject to Department of Transportation (DOT) regulations. The regulations that apply to the vehicle depend on the gross vehicle weight rating (the weight of the vehicle plus its cargo) or the gross combination weight rating (the weight of the vehicle, its cargo, plus anything in tow).

DOT regulations may also apply to the hazardous materials carried by your shop's vehicle(s), although some of these materials are not regulated because they are considered to be *materials of trade*. A material of trade is a hazardous material (not a hazardous waste) that is carried on a motor vehicle:

- 1) for the purpose of protecting the health and safety of the motor vehicle operator or passengers. Examples include: air bags and their oxygen cylinders, and insect repellent.
- 2) for the purpose of supporting the operation or maintenance of a motor vehicle. Examples include: spare batteries, motor oil, brake fluid, windshield washer fluid, engine starting fluid, small quantities of welding gases (no more than four cylinders), gasoline (in an OSHA safety can with a capacity of no more than 5 gallons.)
- 3) by a private company to directly support its principal business (i.e., this exemption does not apply to trucking or delivery companies.)

Note that there are packaging requirements and limits on the total quantity of materials of trade allowed on a single motor vehicle.

In addition to following DOT requirements, operators of tow trucks and other shop vehicles must also follow OSHA standards to ensure worker safety. These standards are listed in the following section.

MANAGEMENT RESPONSIBILITIES

Listed below are the management requirements that you must follow. Also listed are suggested practices that you should follow in order to provide your shop's employees with additional safety measures.

You Must:

- when transporting materials of trade, you must: [DOT]
 - not transport more than 440 pounds (approximately 50 gallons) of a material(s) of trade on a single motor vehicle.
 - ensure that each material is packaged in its original packaging or in packaging of equivalent strength, and that packages are tightly closed and secured against movement. Note that packages are not required for containers that are secured against movement in cages, boxes or compartments. Gasoline and other flammable liquids must be in an

OSHA safety container having a capacity of no more than 5 gallons, a spring-closing lid and spout cover, and designed to safely relieve internal pressure when subjected to fire exposure.

- ensure that cylinders meet all DOT qualification and use requirements. See the Welding section in Chapter 4 for more information on cylinder labeling requirements.
 - ensure that nonbulk packaging (containers smaller than 119 gallons or weighing less than 882 pounds) are marked with the product's common name or proper shipping name.
 - inform your driver(s) of the materials of trade exemption and of the presence of the hazardous materials.
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- when transporting materials that are not materials of trade, you must: [DOT]
 - ensure that packaging is adequate to hold the materials being transported, and that the packaging is not torn, leaking, etc.
 - ensure that the package has the correct DOT label, if required.
 - ensure that packages are secured to prevent movement during transportation.
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- comply with the following if your vehicle(s) has a gross vehicle weight rating of 10,001 pounds or more (generally includes large automobiles and pick-up trucks): [DOT]
 - comply with Qualification of Drivers requirements by ensuring that drivers:
 - ☐ are at least 21 years old.
 - ☐ can read and speak English.
 - ☐ have the experience and/or training to safely operate the vehicle to be driven.
 - ☐ can determine whether the cargo to be transported has been properly located, distributed, and secured against movement.
 - ☐ are physically qualified to drive a motor vehicle and have a copy of the examiner's certificate showing that they are physically qualified to drive a motor vehicle.
 - ☐ have a valid motor vehicle operator's license.
 - ☐ have provided the employer with a list of all traffic violations resulting in a conviction, or for which bond or collateral was forfeited, during the preceding 12 months.
 - ☐ have completed and furnished to the employer an application for employment.
 - comply with the DOT Recordkeeping Responsibilities listed in Section 5.4.
 - if your vehicle(s) has a gross vehicle weight rating of 26,001 pounds or more (generally pick-up trucks with vehicles in tow or wreckers), you must: [DOT]
 - follow the above-listed requirements for vehicles with a gross vehicle weight rating of 10,001 pounds or more, including complying with the DOT Recordkeeping Responsibilities listed in Section 5.4.
 - ensure that your drivers have current commercial drivers licenses.
 - if your shop has a tow truck, you must: [OSHA]
 - follow the above-listed requirements for vehicles with a gross vehicle weight rating of 26,001 pounds or more.
 - ensure that a carbon dioxide, dry chemical or equivalent fire extinguisher is in good working condition and securely mounted on the truck. You must also ensure that drivers

and maintenance personnel are familiar with the use and care of the fire extinguisher provided.

- ensure that the data plate stating the maximum hoisting capacity of the unit is prominently posted on the winch mast. Do not paint over or remove the manufacturer's data plate.
- frequently (daily to monthly intervals) inspect:
 - the control mechanism for maladjustment or excessive wear.
 - safety devices for proper operation.
 - hooks for cracks or deformation.
- periodically (1-12 month intervals or as specified by the manufacturer) inspect:
 - structural members for cracks, corrosion or deformation.
 - sheaves and drums for cracks or wear.
 - pins, bearings, shafts, gears and locking devices for cracks, wear or distortion.
 - cables for excessive wear, corrosion, breakage, kinking or for improperly applied cable connections.
- ensure that employees do not work on vehicles that are suspended solely by a tow-truck cable. If work must be performed on suspended vehicles, you must place jack stands or cribbing under the vehicle's frame.
- The crane's controls should be remotely located from the winch drum, traveling cables, and sheaves so that the operator is not under the load being lifted when working the crane's controls.

You Should:

- if your shop has a tow truck, you should:
 - equip the truck with flood lights for nighttime use.
 - equip the truck with wheel chocks (i.e., blocks to prevent the truck's wheel from rolling) and flares.